

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOEL GORDON, d/b/a JOEL GORDON	:	
PHOTOGRAPHY,	:	
	:	CIVIL ACTION
Plaintiffs,	:	
	:	
v.	:	
	:	NO. 14-2329
PEARSON EDUCATION, INC.,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 9th day of *January*, 2015, upon consideration of Defendant Pearson Education, Inc.'s Motion to Dismiss Count II of the Complaint (Docket No. 6), Plaintiff Joel Gordon, d/b/a Joel Gordon Photography's Response (Docket No. 8), and Defendant's Reply Brief (Docket No. 9), it is hereby **ORDERED** as follows:

1. Defendant's Motion to Dismiss the contributory copyright infringement claim is **DENIED**;
2. Defendant's Motion to Dismiss the vicarious copyright infringement claim is **GRANTED WITHOUT PREJUDICE**;
3. Plaintiff shall have twenty (20) days from the date of this Order in which to file an amended complaint curing the pleading deficiencies in the vicarious copyright infringement claim.

It is so **ORDERED**.

BY THE COURT:

S/Ronald L. Buckwalter
RONALD L. BUCKWALTER, S.J.